

RECEIVED

OCT 24 2008

2008 OCT 23 PM 3:09

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	ORDER ON WITHDRAWAL OF
	)	MOTION TO SET ASIDE
	)	PARTIAL DECREE
Case No. 39576	)	
_____	)	WATER RIGHT NO.: 29-2337

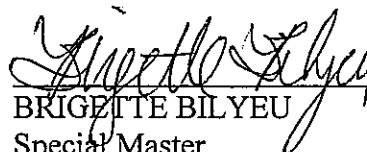
I. PROCEDURAL BACKGROUND

A *Motion to Set Aside Partial Decree* was filed by Barbara Ann Morrison on March 24, 2008. The SRBA District Court issued an *Order of Reference to Special Master Brigitte Bilyeu* on March 24, 2008. Hearings were held on June 18, 2008 and September 24, 2008. A *Motion to Withdraw Objection and Motion to Withdraw Motion to Set Aside Partial Decree* was filed by Barbara Ann Morrison on October 1, 2008. No parties to the SRBA opposed the *Withdrawal*.

III. FINDINGS AND CONCLUSIONS

Therefore, IT IS ORDERED that the *Motion to Set Aside Partial Decree* is Withdrawn **with prejudice**. A *Special Master's Report and Recommendation* shall issue recommending 29-2337 **not** be set aside, and no *Amended Partial Decree* should issue. There will be no change to the *Partial Decree* issued March 22, 2004.

IT IS FURTHER ORDERED, that the hearing set on November 19, 2008 at 9:30 is **vacated**.
DATED: October 23, 2008.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER ON WITHDRAWAL OF MOTION TO SET ASIDE PARTIAL DECREE was mailed on October 23, 2008, with sufficient first-class postage to the following:

BARBARA ANN MORRISON
PO BOX 5344
QUARTZSITE, AZ 85359
Phone: 928-927-3825

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

BRENDA DEGN
KENNETH R DEGN
19748 S DEGN RD
DOWNEY, ID 83234
Phone: 208-897-5792

BARBARA ANN MORRISON
20474 S TOOL RD
DOWNEY, ID 83234


Deputy Clerk